

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Sean C. Fabich
Debtor(s)

Bankruptcy Case No.: 13-22598-JAD

Chapter: 13
Docket No.: 55 - 54
Concil. Conf.: January 4, 2018 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **November 6, 2017**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **November 21, 2017**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **January 4, 2018** at **09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: September 22, 2017

cm: All Creditors and Parties In Interest

Jeffery A. Deller
United States Bankruptcy Judge

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 4
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Sean C. Fabich
 Debtor

Case No. 13-22598-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jfur
 Form ID: 410

Page 1 of 2
 Total Noticed: 11

Date Rcvd: Sep 22, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 24, 2017.

db +Sean C. Fabich, 223 North Monroe Avenue, Columbus, OH 43203-1443
 aty +vdel3, Office of the Chapter 13 Trustee, Suite 3250 US Steel Tower, 600 Grant Street,
 Pittsburgh, PA 15219-2719
 cr +Bank of America, N.A. c/o Prober & Raphael, A Law, 20750 Ventura Blvd, Suite 100,
 Woodland Hills, CA 91364-6207
 cr Duquesne Light Company, c/o Peter J. Ashcroft, 2200 Gulf Tower, Pittsburgh, PA 15219
 cr +Equitable Gas Bankruptcy Department, Attn: Judy Gawlowski, 225 North Shore Drive 2nd Floor,
 Pittsburgh, PA 15212-5860
 13659602 +Bank of America Home Loans, 450 Amerian Street, Simi Valley, CA 93065-6285
 13659601 Bank of America Home Loans, c/o Customer Service, P. O. Box 5170,
 Simi Valley, CA 93062-5170
 13659604 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage, 350 Highland Drive, Lewisville, TX 75067)
 13706502 The Bank of New York Mellon, et al, c/o Prober & Raphael, Attornys For Secured Creditor,
 P.O. Box 4365, Woodland Hills, CA 91365-4365
 14094805 +Veripro Solutions, Inc., PO BOX 3244, Coppell, TX 75019-9244

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 13670568 E-mail/Text: ebnbankruptcy@ahm.honda.com Sep 23 2017 00:45:25

American Honda Finance Corporation, National Bankruptcy Center, P.O. Box 168088,
 Irving, TX 75016-8088, 866-716-6441

TOTAL: 1

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr NATIONSTAR MORTGAGE, LLC
 cr Veripro Solutions, Inc.
 13659603* ++AMERICAN HONDA FINANCE, P O BOX 168088, IRVING TX 75016-8088
 (address filed with court: Honda Financial Services, 1220 Old Alpharetta Road, Suite 350,
 Alpharetta, GA 30005)
 13857167* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage, LLC, 350 Highland Drive,
 Lewisville, TX 75067)

TOTALS: 2, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 24, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 22, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor NATIONSTAR MORTGAGE, LLC agornall@goldbecklaw.com,
 bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com
 James Warmbrodt on behalf of Creditor NATIONSTAR MORTGAGE, LLC bkgroup@kmlawgroup.com
 Kenneth Steidl on behalf of Plaintiff Sean C. Fabich julie.steidl@steidl-steinberg.com,
 ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.
 nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-st
 einberg.com;r53037@no
 Kenneth Steidl on behalf of Debtor Sean C. Fabich julie.steidl@steidl-steinberg.com,
 ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.
 nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-st
 einberg.com;r53037@no
 Laurence A. Mester on behalf of Defendant BANK OF AMERICA lmester@mesterschwartz.com,
 jottinger@mesterschwartz.com/jschwartz@mesterschwartz.com

District/off: 0315-2

User: jfur
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Page 2 of 2
Total Noticed: 11

Date Rcvd: Sep 22, 2017

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Equitable Gas Bankruptcy Department sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 9